

EXHIBIT “A”

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

JEANNETTE MILLER)	CIVIL NO. 04-00441 BMK
)	(Admiralty)
Plaintiff,)	
)	DECLARATION OF
vs.)	THEODORE C. KING
)	
MAUI OCEAN ACTIVITIES, INC.)	
("MOA"), THEODORE C. KING,)	
BETH D. KING, <i>In Personam</i> and)	
MOA VESSEL, <i>In Rem</i> ,)	
)	
Defendants.)	
)	
)	
)	
)	

DECLARATION OF THEODORE C. KING

I, **THEODORE C. KING**, hereby affirm and declare as follows:

1. I am President of Defendant MAUI OCEAN ACTIVITIES, INC. ("Defendant" or "MOA").

2. I have personal knowledge of the matters set forth herein and am competent to testify thereto in a court of law.

3. JEANNETTE A. MILLER ("Plaintiff") was hired by Defendant to be a "Beach Booth Attendant" for MOA's Kailua-Kona jet ski business.

4. Beach Booth Attendants are hired to greet customers as they arrive at the pier for the jet ski times reserved by telephone, to encourage walk up

customers to purchase jet ski rides while on the jet ski platform, to show instructional/safety video to customers and have them sign a waiver. They are not hired as crew.

5. Specifically, Plaintiff's duties were to greet customers as they arrived at the pier for jet ski times reserved by telephone, to encourage walk up customers to purchase jet ski rides while on the jet ski platform, to show instructional/safety video to customers and have them sign a waiver

6. MOA's beach booth was located on the bed of a Ford F150 pickup truck which was driven to the Kona pier every morning for business.

7. After the Beach Booth Attendant greeted customers and processed their paperwork, the captain typically escorted customers to the company's small six-passenger vessel that MOA used to shuttle jet ski riders from the pier to the ocean platform where the jet skis were located and Beach Booth Attendant remained at the truck to wait for the arrival of other customers.

I hereby declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge and belief.

DATED: Honolulu, Hawaii ; September 7, 2006.



THEODORE C. KING